

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

ESTABLISHMENT – Compassionate appointment of the dependents of the deceased work charged to Sri Y.Pethuru, S/o late Sri Y.Kotaiah, Sweeper – Orders - Issued.

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IRRIGATION AND COMMAND AREA DEVELOPMENT (SER.V) DEPARTMENT

G.O.Ms.No. 31

Dated:09-04-2010

Read the following:-

1. Representation from Sri Y.Pethuru, S/o Late Sri Y.Kotaiah, Sweeper, dt.Nil.
2. From the Hon'ble APAT, Hyderabad, order dt.13-12-2008 in O.A. No.10904/2008.
3. Govt.Memo.No.20497/Ser.V(2)/2007-3, dt.07-03-2009.
4. From the Chief Engineer, NSRS Srisailam Project, Hyderabad, Lr.No.CE/NSRSSP/DCE.I/C2/10904/2008, dt.18-02-2009 & 17-03-2009.
5. Govt.Memo.No.20497/Ser.V(2)/2007-4, dt.03-06-2009
6. From the Chief Engineer, NSRS Srisailam Project, Hyderabad, Lr.No.CE/NSRSSP/DCE.I/10904/2008, dt.13-07-2009.
7. From the Superintending Engineer, Dam Maintenance Circle, N.S.R.S. Srisailam Porject, Procdgs. No.SE/DMC/EB/EC-I / CF/83M, dt.15-01-2010

O R D E R:-

In the reference 1st read above, Sri Y.Pethuru, unemployeed R/o Peerla Chavadi, Srisailam Dam East Kurnool District has represented to provide employment on compassionate grounds as his father Sri Y.Kotaiah, Sweeper died on 30-03-2003 while in service. On 24-09-2003, he has represented along with Smt. N.Akhlabee W/o Late S.Malik Basha and three other for providing employment under compassionate grounds. The three other individuals have been appointed on compassionate grounds through District Collector, Kurnool. But he was not appointed on compassionate grounds so far.

2. In the reference 2nd read above, the Hon'ble A.P. Administrative Tribunal has delivered the following judgment at admission stage:-

Heard both sides.

It is seen that as per the orders of this Tribunal in OA No. 2064 & 2091/2005 and the orders of the Hon'ble High Court in W.P No. 24756 & 24857/2005, the persons who are similarly situated as that of the applicants were appointed as Sweepers by the Govt vide G.O Ms No. 29 dated. 25-04-2006. The applicant also made a representation to the respondents on 29-12-2007 and 18-08-2008 seeking compassionate appointment as that of the similarly situated persons.

In view of the above facts and circumstances of the case, the respondents are directed to pass orders on the representation of the applicant dated. 18-08-2008 in terms of the Judgment of the Tribunal in OA No. 2064 & 2091/2005 dated. 04-05-2005 within a period of six weeks from the date of receipt of a copy of the order.

3. In the reference 4th read above, the Chief Engineer, N.S.R.S. Srisailam Project, Hyderabad, has reported that the case is similar in nature to that of the case wherein the Government had issued orders in G.O.Ms.No.29, Irrigation and CAD (Ser.V) Department, dt.25-04-2006. He has further reported that efforts of his office in filing W.P in A.P. High Court in similar cases did not give any fruit full results, hence no further efforts are contemplated in the above case. He has also reported that the proposals in respect of Sri Y. Pethuru, along with three others, were submitted to the Govt for issuing

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orders to appoint them on compassionate grounds and the Govt vide Memo No. 23964/Ser V(2)/2004-6 Dt. 8-2-05 have informed that the deceased individuals did not satisfy the provisions of G.O Ms No. 212, dt. 22-4-1994 and they are not eligible for compassionate appointments. The Govt Memo was challenged by three applicants out of four except Sri Y. Pethuru, in OA No. 2064 and 4506/05. The APAT has set aside the above Govt Memo in the above said OA's and directed the respondents to appoint the applicants which was confirmed by the Hon'ble High Court of Andhra Pradesh in W.P.No's.24587, 24586 of 2005 dated 24-11-2005. filed by the Government.. Accordingly, the Government have issued orders in G.O Ms No. 29, Dt.25-04-2006 by permitting the District Collector, Kurnool to appoint the applicants in the above O.As.

4. In the reference 7th read above, the Superintending Engineer, Dam Maintenance Circle, NSRSS Project, Srisailam has informed to the individual that there are no vacancies in any cadre for providing employment under compassionate grounds in his circle and hence his office addressed the C.E. NSRSSP, Hyd., to apprise the matter to the Government, as the Government and District Collector, Kurnool are competent authorities to provide employment in any other departments under compassionate grounds, as was done in similar cases.

5. In the reference 4th read above, the Chief Engineer, N.S.R.S. Srisailam Project, Hyderabad, has requested the Government to issue suitable instructions to the District Collector, Kurnool to appoint Sri Y.Pethuru to any eligible post on par with other applicants who were appointed earlier as per G.O.Ms.No.29, Irrigation and CAD (Ser.V) Department, dt.25-04-2006.

6. Government after careful examination of the matter, it has been decided to provide employment to Sri Y.Pethuru, S/o Late Sri Y. Kotaiah, under compassionate grounds. Accordingly, the Collector and District Magistrate, Kurnool is hereby permitted to appoint Sri Y.Pethuru, S/o Late Sri Y.Kotaiah, in a suitable post in which he is eligible on compassionate grounds as was done in respect of the similarly situated three persons in which orders were issued in G.O.Ms.No.29, Irrigation and CAD (Ser.V) Department, dt.25-04-2006.

7. The Collector and District Magistrate, Kurnool and the Chief Engineer N.S.R.S. Srisailam Project, Hyderabad, shall take necessary further action in the matter accordingly.

8. This order issues with the concurrence of Finance (PC.III) Department, vide their U.O.No.9969/190/PC.III/2010, dated:08-04-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Collector and District Magistrate, Kurnool.
The Chief Engineer, N.S.R.S.Srisailam Project, Hyderabad.
Copy to:
The Engineer-in-Chief (IW),
Irrigation and CAD Department, Erramanzil, Hyderabad.
The Superintending Engineer,
Dam Maintenance Circle, N.S.R.S.Srisailam Project, Srisailam.
The Government Pleader for Irrigation and CAD,
A.P. Administrative Tribunal, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER